

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ben-Zur, et al.

Serial No.: 09/662,681

Filed: September 15, 2000

For: Interface Receiver For Communications  
Among Network Elements

Group No.: 2631

Examiner: Not yet assigned

**RECEIVED**

FEB 01 2001

OFFICE OF PETITIONS

Commissioner for Patents  
Washington, D.C. 20231**DECLARATION**

I declare:

1. A Combined Declaration and Power of Attorney For Utility Patent Application (the "original Declaration") and Assignment (the "original Assignment") document were filed along with U.S. Patent Application Serial No. 09/662,681 (the "'681 application") on September 15, 2000. The original Declaration and Assignment were signed by Raanan Ben-Zur, Boris Reynov, and Ohm P. Mishra, three of the four inventors of the '681 application. A copy of the original Declaration and Assignment are attached as **Exhibits A and B**.

2. Bayne G. Steele did not sign the original Declaration and Assignment.

3. Upon information and belief, the four inventors listed on **Exhibit A** are the inventors of the '681 application.

4. A Combined Declaration and Power of Attorney For Utility Patent Application (the "Steele Declaration") and Assignment (the "Steele Assignment") were sent to Bayne G. Steele at his last known residence, 3470 Andrews Drive #15, Pleasanton, CA 94588, via U.S. Postal Service Certified Mail on December 5, 2000. The Steele Declaration and Assignment were returned to our offices marked "Unclaimed". A copy of the returned envelope is attached as **Exhibit C**.

5. The Steele Declaration and Assignment were sent to Bayne G. Steele a second time at his last known residence, 3470 Andrews Drive #15, Pleasanton, CA 94588, via Federal Express Priority Overnight shipping on January 5, 2001. The Steele Declaration and Assignment were returned to our offices along with a letter from Federal Express explaining that the "recipient address as written on the airbill is incorrect or incomplete." A copy of the returned envelope is attached as **Exhibit D**. A copy of the Federal Express return letter is attached as **Exhibit E**.

6. I placed a telephone call to Bayne G. Steele's last telephone number of record, (925) 469-9622, on January 16, 2001. A recorded telephone company message indicated that this number was disconnected.

7. The Steele Declaration and Assignment were twice sent to Bayne G. Steele's last address of record. At the present time, Bayne G. Steele is the only one of the four inventors who has not returned an executed Combined Declaration and Power of Attorney For Utility Patent Application and an Assignment for the '681 application.

8. Bayne G. Steele was formerly an employee of Cyras Systems, Inc ("Cyras"). On information and belief, Bayne G. Steele is a party to an Employment Agreement with Cyras under which he is obligated to assign all inventions made by him to Cyras and to cooperate in the prosecution of any related patent applications.

9. In attempts to contact Bayne G. Steele, I have: 1) received his last address of record from Cyras (this is the address to which the Steele Declaration and Assignment were mailed); 2) called the last telephone number of record on January 16, 2001; and 3) performed an electronic search for contact information and address for Bayne G. Steele. None of my attempts to contact Bayne G. Steele have been successful.

10. No other addresses or telephone numbers are known at which Bayne G. Steele may be contacted.

11. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that false statements and the like so made are punishable

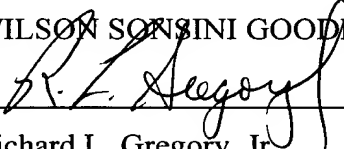
U.S. Ser. No. 09/662,681

by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of U.S. Patent Application Serial No. 09/662,681 or any patent issued thereon.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Date: 01-29-01

  
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Richard L. Gregory, Jr.  
Reg. No. 42,607